

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION

TYLER GATES,

Plaintiff,

vs.

MATT IVES, in his individual capacity,

Defendant.

CV 23–89–BU–DLC

ORDER

On December 20, 2024, the Court granted Lawrence E. Henke and David L. Vicevich leave to withdraw as counsel of record for Plaintiff Tyler Gates. (Doc. 38.) The Court further ordered Gates’s new counsel to file a notice of appearance on or before January 10, 2025. (*Id.* at 38.) In the alternative, if Plaintiff decided to proceed pro se, the Court ordered Plaintiff to notify the Court of this decision by January 10, 2025. (*Id.*) No new counsel has appeared on behalf of Plaintiff and Plaintiff has not notified the Court that he will be proceeding pro se. As such, the Court would entertain a Fed. R. Civ. P. 41(b) motion should Defendant choose to file one.

Plaintiff has also failed to respond to Defendant’s Motion in Limine (Doc. 33). The Court deems Plaintiff’s failure to respond as an admission that the motion is well taken pursuant to Dist. Mont. Local R. 7.1(d)(1)(B)(ii).

DATED this 14th day of January, 2025.

A handwritten signature in blue ink, reading "Dana L. Christensen". The signature is written in a cursive style with a large initial "D".

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Dana L. Christensen, District Judge  
United States District Court